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**C L O S E D**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**JEFFREY E. TIMAR,**

**Plaintiff,**

**v.**

**SIEGEL-ROBERT, INC.,**

**Defendant.**

**Case No. 05-74422**

**Honorable Anna Diggs Taylor**

**Magistrate Judge Paul J. Komives**

**BLAKE, KIRCHNER, SYMONDS, LARSON,  
KENNEDY & SMITH, P.C.**

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**ORDER GRANTING SUMMARY JUDGMENT IN FAVOR OF DEFENDANT,  
DENYING SUMMARY JUDGMENT IN FAVOR OF PLAINTIFF, AND  
DISMISSING COUNT I OF PLAINTIFF'S COMPLAINT WITH PREJUDICE**

At a session of said Court held on:

**JUL 24 2006**

PRESENT: HON.

**ANNA DIGGS TAYLOR**

U.S. District Court Judge

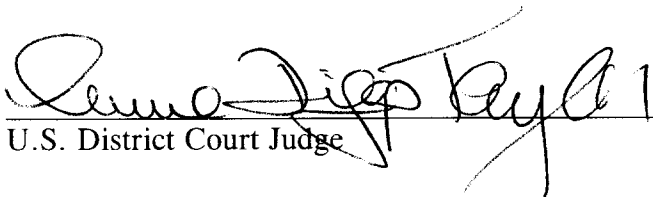
A hearing having been held before the Court on July 24, 2006; and the Court being otherwise fully advised in the premises,

**IT IS HEREBY ORDERED** that Plaintiff's *Motion for Summary Judgment* (Docket No. 15) is **DENIED**.

**IT IS FURTHER ORDERED** that Defendant's *Cross-Motion for Summary Judgment* (Docket No. 18) is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff's remaining claim, Count I for "Breach of Contract," is dismissed in its entirety, with prejudice. Count II of Plaintiff's Complaint was previously dismissed by the Court with prejudice (Docket No. 14); therefore, this case is now dismissed in its entirety, with prejudice.

**IT IS SO ORDERED.**

  
U.S. District Court Judge

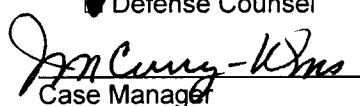
Dated: July 24, 2006

Certificate of Service  
True Copies given to:

☐ Plaintiff(s) Counsel

☒ Defense Counsel

Dated: 7/24/06

  
Case Manager